



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/310,091	05/12/1999	YONG-SEOK PARK	K-089	8341

7590 04/10/2002

THE LAW OFFICES OF FLESHNER & KIM
P O BOX 221200
CHANTILLY, VA 201531200

EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 04/10/2002

2

Please find below and/or attached an Office communication concerning this application or proceeding.

BCJ

Office Action Summary

Application No.

09/310,091

Applicant(s)

PARK, YONG-SEOK

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102^e(b) as being anticipated by Kim et al (6,209,131).

As to claim 1, note the Kim et al reference, Figures 2, 3 and 5, which discloses an apparatus and method for processing additional channel information in a digital receiver of display device, note Figure 2, The claimed is met as follows: the claim steps of 'determining a channel information of being changed from a broadcasting signal received at every preset time interval and storing the changed channel information; and, comparing the stored changed channel information and channel information stored already, for updating the channel information' note col. 5, lines 10+, note that the CPU 20 determines the state of the channel information decoded by the decoder 22, stores in first memory 23 and its storage in the second memory 24 and constantly update channel information by adding, deleting channel information.

Claim 2 is met by that discussed above.

As to claim 4, Kim further discloses the claimed 'determining a repeater of being switched if it is found that the channel information is changed, to store the changed channel information (see col. 5, lines 10+, note that 'a repeater of being switched' is met by CPU 20, wherein the CPU 20 determines a change in the transport stream being decoded by the decoder, and storing the changed channel information if no change has occurred and maintaining existing channel information if there is a changed).

Claim 5 is met by that discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al (6,209,131) as applied to Claims 1, 2, 4 and 5 above and further in view of ETSI, "Digital Broadcasting system for television, sound and data services, Specification for Service Information (SI) in Digital Video Broadcasting (DVB) systems, October, 1995."

As to claim 3, note the Kim et al reference which discloses an apparatus and method, where the step of determining a change of the received broadcasting signal includes the steps of, the CPU determining a channel information change from the transport stream being decoded by the decoder at the receiver and storing the change channel information, col. 5, lines 10+. Kim et al reference fail to specifically teach the details of decoding the transport stream that involves parsing PAT information

and checking a version in the parsed PAT information in the transport stream to determine the version change.

ETSI reference, note page 7 and 10, teaches PAT and PMT in decoding of transport streams in digital video broadcasting (DVB) systems. Therefore, examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of ETSI of decoding of transport streams into the system of Kim et al in order to achieve a digital television receiver that automatically configure itself upon a change in channel information during broadcast.

As to claim 6, Kim et al reference, note Figures 2 and 6, disclose a method for storing the changed information the steps of storing includes determining a change of the received broadcasting signal, storing each channel information in a first data base (memory 23) to form a first channel list, if it is found that a channel information change as a result of the determination, and clearing the first channel list, and storing the changed channel information in a second data base (memory 24), to form a second channel list, if it is found that there is not channel information change as a result of the determination, note fig. 3 and col. 5, lines 10+, but fails to specifically teach the details of decoding the transport stream that involves PAT, PMT and PMM information in the transport stream as is met by discussed above.

ETSI reference, note page 7 and 10, teaches PAT, PMT and PMM in decoding of transport streams in digital video broadcasting (DVB) systems. Therefore, examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of ETSI of decoding of transport streams into the system of Kim et al in order to achieve a digital television receiver that automatically configure itself upon a change in channel information during broadcast.

Claims 7 and 8 are met as discussed above.

Art Unit: 2614

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Deniau et al (2001/0052856) disclose a receiver in a cyclic packet data transmission system.

Morrison et al (6,263,502) disclose a system and method for automatic audio and video control settings for television programs.

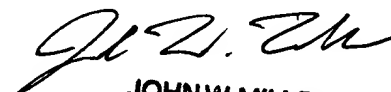
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service whose telephone number is 703-306-0377.



Annan Q. Shang
April 5, 2002



JOHN W. MILLER
PATENT EXAMINER